

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) - CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>P66886US0</b>
		US APPLICATION NO. (If known, see 37 CFR 1.5) <b>09/869317</b> PRIORITY DATE CLAIMED <b>25 November 1999</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP00/11626</b>	INTERNATIONAL FILING DATE <b>22 November 2000</b>	
TITLE OF INVENTION <b>METHOD FOR DETECTING FLUORESCENCE PHENOMENA IN MICROSCOPE</b>		
APPLICANT(S) FOR DO/EO/US <b>Volker GERSTNER and Ralf WOLLESCHEWSKY</b>		

**Applicant herein submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for Internatl. Preliminary Examination was made by the 19th month from earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the Internatl. Preliminary Examination report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - International Search Report - EPO
  - PCT Request Form
  - First Page of Publication

US APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold; text-align: center;">09/869317</div>		INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; text-align: center;">PCT/EP00/11626</div>		ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; text-align: center;">P66886US0</div>	
17. <input checked="" type="checkbox"/> The following fees are submitted:  <b>Basic National F (37 CFR 1.492(a)(1)-(5)):</b> Internatl. prelim. examination fee paid to USPTO (37 CFR 1.492 (a) (1)) .. \$690.00 No international preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (2)) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .. \$710.00 Neither international preliminary examination fee (37 CFR 1.492 (a) (3)) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO) ..... \$1000.00 International preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (4)) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$100.00 Search Report prepared by the EPO or JPO (37 CFR 1.492 (a) (5)) ..... \$860.00  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				CALCULATIONS	PTO USE ONLY
Surcharge of \$130.00 for furnishing the <b>oath or declaration</b> later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
<b>Claims</b>	<b>Number Filed</b>	<b>Number Extra</b>	<b>Rate</b>		
Total Claims	19 - 20 =	-0-	x \$18.00	\$	
Independent Claims	2 - 3 =	-0-	x \$80.00	\$	
Multiple Dependent Claim(s) (if applicable)			+ \$270.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 990.00	
Reduction by 1/2 for filing by <b>small entity</b> , if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				\$ 990.00	
Processing fee of \$130 for furnishing the <b>English translation</b> later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f))				\$ 130.00	
<b>TOTAL NATIONAL FEE =</b>				\$ 1120.00	
Fee of \$40.00 for recording the enclosed <b>assignment</b> (37 CFR 1.21(h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31).				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1120.00	
				Amt. to be refunded:	\$
				Amt. charged:	\$

a. ☒ A check in the amount of \$ 1120.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 06-1358 in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge my account any additional fees set forth in §1.492 during the pendency of this application, or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.

**SEND ALL CORRESPONDENCE TO:**

**JACOBSON HOLMAN PLLC**  
 400 7th Street, N.W., Suite 600  
 Washington, DC 20004  
 202-638-6666  
**CUSTOMER NUMBER: 00136**

By Allen S. Melser  
 Reg. No. 27,215

JPH&S 3/95

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
: Volker GERSTNER et al. :  
: U.S. Application No. 09/869,317 : Art Unit: (not yet assigned)  
: Internat'l Appl. No. PCT/EP00/11626 :  
: Internat'l Appl. Filed: November 22, 2000 : Examiner: (not yet assigned)  
: For: METHOD FOR DETECTING : Atty Docket: P66886US0  
: FLUORESCENCE PHENOMENA :  
: IN MICROSCOPE :  
:

**REQUEST FOR APPROVAL OF PROPOSED DRAWING CORRECTIONS**


Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please amend the drawings as indicated in red in the accompanying photocopies, and advise  
if these corrections are approved.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 

Allen S. Melser  
Registration No. 27,215

Date: December 21, 2001

Customer No. 000,136  
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FOOTNOTES

Approved  
K.G. 5/2003

THE UNIVERSAL LINGUIST, INC.

TRANSLATION CERTIFICATION

This is to certify that the translation of the attached documents: **Basic German Application No: PCT/EP00/11626; Case Reference No.: 12732/P66886US0;** and document **WO 01 / 38856 Literature** is to the best of our knowledge and ability, a true and accurate translation of the original text delivered to us by our client **JACOBSON HOLMAN**. The original document was to be translated from **German into English**, and said translation was completed and delivered to the client on October 26, 2001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the documents attached herein.

The Universal Linguist hereby agrees to keep the contents of this translation confidential according to the ethical and legal standards of the translating profession. The Universal Linguist further more agrees not to discuss, evaluate, transfer, distribute, or reproduce any material related to this assignment with any person (s), or any other parties related to this assignment, other than the direct representative of the client, as this would constitute a violation of our agreement. The Universal Linguist is liable for damages pertaining to the item covered by this statement.

Date: October 26, 2001

WITNESSED ON BEHALF OF THE UNIVERSAL  
LINGUIST: \_\_\_\_\_

Mr. Ernest Oropeza

District of Columbia ) ss:

BE IT KNOWN, that on the 26<sup>th</sup> day of October 2001 before me a Notary Public in and for the District of Columbia, duly commissioned and sworn, personally came and appeared Mr. Ernest Oropeza who acknowledged that he executed the within instrument.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal of office, the day and year above written.

Tanja L. Baybrook  
MS. TANJA L. BAYBROOK  
NOTARY PUBLIC, DISTRICT OF COLOMBIA  
MY COMMISSION EXPIRES ON DECEMBER 14, 2005

09869317-122104

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Key to figures:

Abb. 1 = Figure 1

Abb. 2 = Figure 2

nicht descannt = non-descanned

09869317-122101

## Literature

- [Wabnitz] H. Wabnitz  
Method for Determining the Calcium Concentration in Cells  
Published patent application DE 41 04 014  
Filing date: February 9, 1991
- [Gröbler] B. Gröbler  
Device for the Analysis and Imaging of Real Time Intensity of Fluorescence Radiation resulting from Point-by-Point Excitation of a Preparation by means of Laser Light  
Patent DE 36 14 359 C2
- [Müller] R. Müller, M. Sauer, C. Zander  
System for Differentiating Fluorescing Molecular Groups by means of Time-Resolved Fluorescence Measurement  
Patent WO 98 / 09154
- [Han] K-T Han, M. Köllner, M. Sauer, S. Seeger, J. Wolfrum, C. Schmitt, A. Schulz  
Method for Optical Sorting of Plastics by means of Time-Resolved Laser Spectroscopy  
Published patent application DE 42 31 477 A1  
Filing date: September 19, 1992
- [Schbg] H. Schneckenburger, K. König, T. Dienersberger, R. Hahn  
Time-Gated Microscopic Imaging and Spectroscopy in Medical Diagnosis and Photobiology  
Optical Engineering 33 (8) 2600 (1994)
- [Cubeddu] R. Cubeddu, G. Canti, A. Pifferl, P. Taroni, G. Valentini  
A Real Time System for Fluorescence Lifetime Imaging  
SPIE 2976 (1997) 98
- [Dowling] K. Dowling, S. C. W. Hyde, N. P. Barry, J. C. Dainty, P. M. W. French  
Two Dimensional Fluorescence Lifetime Imaging using a 5 kHz / 110 ps Gated Image Intensifier (WWW)
- [Clegg] P. C. Schneider, R. M. Clegg  
Rapid Acquisition, Analysis and Display of Fluorescence Lifetime Resolved Images for Real time

7405 PCT

Applications

Rev. Sci. Instrum. 68 (11) 4107 (1997)

[Gratton] E. Gratton, M. Limkeman

A Continuously Variable Frequency Cross Correlation Phase Fluorometer with Picosecond Resolution

Biophys. J. 44 (1983) 315

7405 PCT

WO 01 / 38856

PCT / EP 00 / 11626

[Gratton2] E. Gratton, D. M. Jameson, R. D. Hall  
Multifrequency Phase and Modulation Fluorometry  
Ann. Rev. Biophys. Bioeng. 13 (1984) 105

[So] P. T. C. So, T. Franch, W. M. Yu, K. K. Berland, C. Y. Dong, E. Gratton  
Time Resolved Fluorescence Microscopy using Two Photon Excitation Bioimaging 3 (1995) 49

[Goeppert] M. Göppert-Mayer  
Ann. Physik 9, 273 (1931)

[Wilson] T. Wilson  
Theory and Practice of Scanning Optical Microscopy  
Academic Press, 1984

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